IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:06cv387

PATRICIA A. SMITH,	
Plaintiff,	
Vs.	ORDER
WIX FILTRATION CORPORATION,	
Defendants.))

THIS MATTER is before the court on a proposed "Consent Protective Order," which has not been accompanied by a motion. As provided in Rule 7(b)(1), Federal Rules of Civil Procedure, and reflected in Local Rule 7.2, an application to the court for an Order or other relief must be made in the form of a written motion. The court adheres to these rules not simply because they are rules; instead, the requirement of filing a motion insures that the court reaches the issue, inasmuch as there is no provision for CM/ECF to track proposed Orders. The requirement of a motion further serves the public interest in assuring that Orders which limit public review are based on good and adequate cause.

With those concerns in mind, the court will strike the "Consent Protective Order" (#7) as improvidently filed, and instruct the parties to file a joint or consent Motion for Protective Order, therein showing good and adequate cause for the relief sought. Counsel may attach the proposed Consent Protective Order as attachment to the motion or they may submit it to the court through CyberClerk, or both.

ORDER

IT IS, THEREFORE, ORDERED that the "Consent Protective Order" (#7) is STRICKEN as improvidently filed.

Signed: February 1, 2007

Dennis L. Howell

United States Magistrate Judge